

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAMES EDWARDS RICKLEFFS,

No. C 13-2953 RS (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

VELASQUEZ and E. JAMES,

Defendants.

Plaintiff has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$350.00. Plaintiff's IFP application is deficient because he did not file a certificate of funds signed by an authorized prison officer. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion **must** contain a certificate of funds signed by an authorized prison officer. Plaintiff's IFP application (Docket No. 2) is DENIED without prejudice. The Clerk shall enter judgment in favor of defendants, terminate Docket No. 2, and close the file.

IT IS SO ORDERED.

DATED: August 6, 2013


RICHARD SEEBORG
United States District Judge